

REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants have amended the claim to correct a typographical error.

Claims 52-56 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully request reconsideration since claim 52 is specifically directed to “a transaction card” that comprises differing portions containing different information and having a translucent area that includes at least one or more obscured user identifiers. The office action states “claim 52 is an apparatus claim without any structural component and consists solely of language that is implemented with only software” (office action page 3). Applicants respectfully submit that this characterization is incorrect since no transaction card can be implemented with only software. Applicants are unsure as to whether the office action intended to apply this rejection to different claims but claim 52 is clearly an apparatus claim with structural components as it is a “card”. If the rejection is maintained, Applicants respectfully request definition of a transaction card being used by the Patent Office to reject the claim as a transaction card cannot be implemented with only software as alleged. Moreover, the Specification does not support such an interpretation.

Claims 1-4, 22-23 and 25-27 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goede in view of Ginter et al. Applicants wish to thank the Examiner for the “Response to Arguments” but respectfully note that this section actually cites a different portion of Goede that the actual rejection for allegedly teaching a first portion that contains transaction card identification information on a translucent identification member and that the identification information identifies the plurality of obscure user identifiers. The Response to Arguments section refers to col. 1, Ins. 58-61 and [col.] 2, Ins. 45-47. These sections are reproduced below:

present invention, the substrate is a frosted transparent plastic and the recording means comprises a paper sheet member which has printed on it a grid system so as to form individual cells. The paper sheet member also has

45 which may be made from plastic, paper or the like. The substrate may be completely transparent, frosted, colored or opaque. Further, the substrate 12 may be com-

As seen from the cited language of Goede, there is absolutely no reference to any transaction card identification information set forth in the cited portion as required by the claim. For example, the cited portions merely state that the substrate used by Goede may be a frost transparent plastic and claim 2 states that the substrate is transparent. There is no discussion found by Applicants regarding any transaction card identification information that is not only assigned to the obscured user identifiers, but is stored and is provided on the translucent identification member as required by the claim. Since the reference does not teach what is alleged, the independent claims are in condition for allowance.

The rejection portion of the office action cites to a different portion of Goede, namely col. 1, lns. 44-47 and col. 2, lns. 45-47. Applicants again respectfully submit that these cited portions make no reference whatsoever to any identification information that identifies a plurality of obscured user identifiers or providing such identification information on the translucent identification member. The reference in Goede referring to "sequence representing means locatable by the location designating means for representing a predetermined sequence" actually refers to a "personal identification number" associated with the user that the user may have set up in advance. This is different information from identification information that identifies the plurality of obscured user identifiers. The obscured identifiers in Goede have no

identification information assigned to them. A subset of the obscured identifiers form the sequence described in Goede. Accordingly, Applicants respectfully submit that the Goede reference does not teach what is alleged and therefore the claims should be passed to allowance. Applicants respectfully reassert the remarks made in the previous office action.

Claims 11-20 and 29-51 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Oksman et al. in view of Goede. The “Response to Arguments” section refers to the “Ginter” reference in combination with Goede. However, the rejection does not refer to Ginter. Accordingly, Applicants will treat this use of Ginter as a typographical error and it should read “Goede and Oksman”. If Applicants’ assumption is incorrect, Applicants respectfully request that the Examiner provide clarification as to the Examiner’s position. Also, the Examiner does not address why Applicants’ prior remarks as to Oksman are incorrect and instead merely cuts and pastes the cited portion of Oksman from the office action.

Applicants respectfully submit that the Oksman reference actually teaches the opposite of what is claimed. For example, as set forth in claim 11 the “visual filtering pattern” is sent to the display device whereas the “obscured user identifiers” are “located on a translucent identification member sized to be smaller than the display”. As such, the obscured user identifiers are not displayed on a display. To the contrary, the visual filtering pattern is sent to the display device. In contrast, the cited portions of Oksman state that the “characters, icon, pictures, words or other graphic representations” are actually presented on “video display 7” (col. 4, lns. 13-26). The removable screen 13 actually serves as a type of visual filtering pattern in Oksman. As such, a completely opposite approach is described in Oksman wherein the characters or icons are displayed on the display and the screen 13 is used as a type of filter. Applicants claim an opposite approach. As such, Oksman actually teaches that the visual filter is actually “removable screen 13”. The removable screen has no obscured user identifiers located thereon nor would the

system of Oksman work if it was combined with Goede because they operate in opposing manners. Applicants respectfully submit that the Oksman reference does not teach what the Examiner alleges as the basis for the rejection of the claims and as such, the claims are in condition for allowance. Since Oksman does not teach the claimed subject matter, the claims are in condition for allowance. Applicants respectfully reassert the relevant remarks made above with respect to independent claim 29. Accordingly, this claim is also in condition for allowance.

As to independent claim 36, Applicants respectfully reassert the relevant remarks made above since the translucent identification member has the obscured user identifiers thereon.

As to independent claim 43, Applicants respectfully reassert the relevant remarks made above. As such, this claim is also in condition for allowance.

As to independent claim 45, Applicants respectfully reassert the relevant remarks made above and as such, this claim is also in condition for allowance.

The dependent claims add additional novel and not obvious subject matter.

Claims 6-9 and 52-56 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Goede. Applicants respectfully submit that the “Response to Arguments” section of the office action does not address Applicants remarks as to 35 U.S.C. § 102(b) rejection. Also, Applicants amended the claims in the prior office action to require that the transaction card identification information is transaction card account information as to claim 52. The office action recites the identical portion of Goede as in the prior action, namely col. 2, lns. 45-47 and col. 1, lns. 58-61. However, these cited portions are silent as to any transaction card account information. Instead, the cited portions merely state that the substrate of Goede may be transparent. The cited language has not been addressed nor is it taught in the cited portion of the reference. Accordingly, Applicants respectfully submit that claims 52-56 must be passed to allowance.

As to claims 6-9, Applicants respectfully submit that a transaction card is created by an apparatus wherein the apparatus provides the identification information for placement on the translucent identification member and the identification information is assigned to the one or more obscured user identifiers. As noted above with respect to claim 1 for example, Goede does not contemplate any such information being placed on any translucent identification member. Accordingly, Applicants respectfully submit that these claims are also in condition for allowance.

The dependent claims add additional novel and not obvious subject matter.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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